REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 is currently being amended. No new matter is being added. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, Claims 1-7, 9-10, 12, 16-18 and 21-30 are now pending in this application.

On page 3 of the Office Action, Claims 1-7, 9-10, 12, 16-18 and 21-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0016139 (Teich) in view of U.S. Patent No. 7,050,794 (Chuey).

The Examiner stated that:

> Regarding Claim 1 Teich discloses a radio frequency transmitter (Abstract, Fig 1) integrated into a vehicle interior element ([0025]) and configured to send radio frequency messages to activate a remote system (Abstract, Fig 1), wherein the transmitter is configured to send at least two of the messages in response to a single user input (64 of Fig 4, [0049]).

However, the Examiner acknowledged that Teich does not disclose:

> messages including a sequentially encrypted rolling value.

The Examiner stated that Chuey teaches that:

> messages including a sequentially encrypted rolling value (Abstract, Fig 3, Col 5 Lines 32-47).

The Examiner concluded that:

it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Teich with Chuey in order to ensure a successful transmission of the desired actuation as suggested by Chuey (ColI Lines 62-66).

Applicant respectfully traverses the rejection.

Independent Claim 1 would not have been obvious in view of Teich, alone or in any proper combination with Chuey under 35 U.S.C. § 103(a). Teich alone or in any proper combination with Chuey does not disclose, teach or suggest a "radio frequency transmitter integrated into a vehicle interior element" comprising, in combination with other elements, "wherein the transmitter is configured to send at least two of the messages having encrypted rolling values in response to a single user input, the encrypted rolling values being from a sequence of rolling values, wherein the encrypted rolling values of the at least two messages are sequential values" as recited in Claim 1, as amended.

Teich is directed to a "system to prevent accidental learning by a garage door opener (GDO) when it is the learn mode of the identification of a nearby "wrong" transmitter that happens to be operated.... An ID will be added to the GDO's authorization list only if the GDO is in the learn mode, and if it receives a teach code from an operated transmitter." (Teich, Abstract.) The transmitter increases the likelihood of a successful transmission to the GDO by sending the same code a few times in a row, after which the transmitter shuts down to conserve battery power. (Teich, paragraph [0049].) Sending the same code a several times in a row is very typical of transmitters because the messages being sent may take much less time to transmit than the time it takes for the user to push and release the transmit button. Therefore, the message will be transmitted over and over again until the user releases the transmit button. To avoid transmitting the same message an excessive number of times, these transmitters will often include counters that limit the number of transmits of the same message. These counters are used in both the fixed and rolling code context where the same message (e.g., the same encrypted rolling code message) is transmitted multiple times as a result of a single button press. It should

be noted that these "timeout" counters are not the same counters used to generate values that become part of the rolling code values.

Applicant respectfully submits that sending the same message multiple times, as disclosed by Teich, is not the same as sending "at least two of the messages having encrypted rolling values in response to a single user input, the encrypted rolling values being from a sequence of rolling values, wherein the at least two messages are sequential in the sequence of rolling values, wherein the encrypted rolling values of the at least two messages are sequential values" as recited in Claim 1, as amended.

Thus, Teich does not disclose, teach or suggest "a radio frequency transmitter" for sending "at least two of the messages having encrypted rolling values in response to a single user input, the encrypted rolling values being from a sequence of rolling values, wherein the at least two messages are sequential in the sequence of rolling values, wherein the encrypted rolling values of the at least two messages are sequential values" as recited in Claim 1, as amended.

Chuey does not remedy the deficiencies of Teich. Chuey is directed to a "universal remote control [that] interacts with a user to assist in training one or more appliances." (Chuey, Abstract.) Chuey is particularly directed to a universal remote that transmits a sequence of rolling code activation signals until the user indicates a successful transmission. (Chuey, Abstract.) Each activation signal sent in the sequence of activation signals corresponds to a different rolling code scheme. This transmission of activation signals for unique schemes continues until the user identifies a working scheme or there are no more schemes to transmit. (Chuey, col. 9 line 59 to col. 10 line 7.) Referring to figure 10, Chuey states that:

> Considering again block 272, if the channel mode corresponding to the asserted input is a rolling code mode, a rolling code activation signal loop is entered. **Characteristics of the next rolling code scheme are loaded, as in block 286**. The synchronization counter associated with the current scheme is incremented, as in block 288. The incremented counter value is also stored. The synchronization counter is encrypted using the crypt key to produce a rolling code

> value, as in block 290. A data word is formed using the rolling
> code value, as in block 292. The carrier frequency is set, as in
> block 294. **The data word is modulated and transmitted, as in
> block 296. A check is made to determine if any schemes remain
> in the rolling code mode, as in block 298. If so, blocks 286, 288,
> 290, 292, 294 and 296 are repeated. If no schemes remain, the
> activation routine is terminated**.

(Chuey, col. 9 line 59 to col. 10 line 7; *emphasis added*.) As described in the foregoing paragraph, the data word for the loaded scheme is transmitted once, after which a check is made to determine if there are any remaining schemes. If there are, the next transmission in the sequence is an activation signal from another scheme. Once the schemes are all transmitted, the activation routine is terminated. Unlike Chuey, in the present application, the at least two messages being transmitted, as a result of the single user input, are part of the same rolling code scheme.

Applicant respectfully submits that sending an activation code for one scheme followed by an activation code of another scheme is not the same as sending "at least two of the messages having encrypted rolling values in response to a single user input, the encrypted rolling values being from a sequence of rolling values, wherein the at least two messages are sequential in the sequence of rolling values" as recited in Claim 1, where the two messages are sequential messages in the same scheme.

Thus, Chuey does not remedy the failure of Teich to disclose, teach or suggest "a radio frequency transmitter" for sending "at least two of the messages having encrypted rolling values in response to a single user input, the encrypted rolling values being from a sequence of rolling values, wherein the at least two messages are sequential in the sequence of rolling values" as recited in Claim 1, as amended.

Independent Claim 16 recites a "method of providing a counter value and a transmitter identifier to a receiver configured to control a system" comprising "in a training mode, receiving a single user input" and "in response to the single user input, transmitting a plurality of sequential

encrypted counter values to the receiver." Applicant respectfully submits that <u>Teich</u> and <u>Chuey</u> do not disclose, teach or suggest the control system of Claim 16 for reasons similar to those provided with respect to independent Claim 1.

Independent Claim 25 recites a "radio frequency remote control system" comprising "a transmitter integrated into a vehicle interior element and configured to send at least two messages in response to one user input, wherein the two messages are sequential transmission of a rolling-code system." Applicant respectfully submits that <u>Teich</u> and <u>Chuey</u> do not disclose, teach or suggest the control system of Claim 25 for reasons similar to those provided with respect to independent Claim 1.

Independent Claim 29 recites in a "method of training a transmitter to a receiver in a rolling code-based radio frequency control system," the improvement comprising "in response to a single user input, using a rolling code encryption algorithm to provide at least two sequential counter values and transmitting the at least two sequential counter values to the receiver." Applicant respectfully submits that <u>Teich</u> and <u>Chuey</u> do not disclose, teach or suggest the control system of Claim 29 for reasons similar to those provided with respect to independent Claim 1.

To transform <u>Teich</u> and <u>Chuey</u> into the subject matter of Claims 1, 16, 25 and 29 would require still further modification, and such modification is taught only by the Applicant's own disclosure. Thus, Claims 1, 16, 25 and 29, considered as a whole, would not have been obvious in view of <u>Teich</u> and/or <u>Chuey</u>.

The rejection of Claims 1, 16, 25 and 29 over <u>Teich</u> in view of <u>Chuey</u> under 35 U.S.C. § 103(a) is improper. Therefore, Claims 1, 16, 25 and 29 are patentable over <u>Teich</u> in view of <u>Chuey</u>.

Dependent Claims 2-7, 9-10 and 12 which depend from independent Claim 1, are also patentable for at least the same reasons as Claim 1. Dependent Claims 17-18 and 21-24, which depend from independent Claim 16, are also patentable for at least the same reasons as Claim 16.

Dependent Claims 26-28, which depend from independent Claim 25, are also patentable for at least the same reasons as Claim 25. Dependent Claim 30, which depends from independent Claim 29, is also patentable for at least the same reasons as Claim 29.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 1-7, 9-10, 12, 16-18 and 21-30 under 35 U.S.C. § 103(a).

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Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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Respectfully submitted,

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